

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	No. 24-121
	:	
vs.	:	
	:	
JOSEPH GALLO	:	

DEFENDANT'S SENTENCING MEMORANDUM

The Defendant, JOSEPH GALLO, by and through his counsel, Paul Gregory Lang, Esquire, submits this Sentencing Memorandum for the Court's consideration and respectfully represents:

I. PROCEDURAL HISTORY

On March 22, 2024, the United States Attorney's Office in the Eastern District of Pennsylvania filed a one-count Information charging the defendant, Joseph Gallo, with possession of child pornography, in violation of 18 U.S.C. § 2252A(a)(5) and (b)(2).

On July 18, 2024, the defendant appeared before the Honorable Juan R. Sánchez and pled guilty to Count 1 of the Information, pursuant to a written guilty plea agreement.

II. STATEMENT OF FACTS

A. Overview of Criminal Conduct

Mr. Gallo was charged with possession of child pornography in violation of 18 U.S.C. §2252A(a)(5) and (b)(2).

B. Personal History

Mr. Gallo is an 80-year-old man who deeply regrets and takes full responsibility for his actions, which have caused immense pain and suffering to others. He carries an overwhelming burden of guilt and shame, and his remorse is both profound and genuine. Mr. Gallo has spent countless hours reflecting on the harm he has caused, and he has expressed an earnest desire to atone for his actions in the time he has left.

Born on August 30, 1944, in Philadelphia, Pennsylvania, Mr. Gallo grew up in a close-knit Catholic household as one of three children. He fondly recalls a "normal" upbringing in Northeast Philadelphia, filled with activities like playing baseball, serving as an altar boy, and participating in his high school band as a drum major. These memories contrast starkly with the deep regret he now carries. Mr. Gallo married his high school sweetheart, Elenore McCann, in 1966. Together, they raised five children, creating a family life that he cherished. Tragically, Elenore passed away in 2006

after a battle with breast cancer, a loss that left Mr. Gallo devastated. Despite the heartbreak, he remains close to his youngest children, Jennifer Hubler and Patrick Gallo.

Mr. Gallo served honorably in the United States Marine Corps, enlisting in 1966 and achieving the rank of Captain. His service in Vietnam from 1969 to 1970 earned him numerous commendations, including the Vietnam Service Medal with a Bronze Star. However, he faced exposure to Agent Orange during his service, which is a powerful herbicide and defoliant used by the U.S. Military. This exposure led to significant health complications later in life, including prostate cancer, which the military recognizes as a disability. Following his military service, Mr. Gallo pursued a successful career in computer and information technology, holding leadership roles at prestigious companies and later teaching part-time at community colleges. In retirement, he devoted himself to volunteer work, including environmental cleanups and facilitating support groups for veterans and individuals with cancer. Helping others brought him a sense of purpose, and he regrets deeply that his actions have overshadowed these positive contributions.

Mr. Gallo's life has been further complicated by a litany of severe medical conditions. He suffers from prostate cancer, coronary artery disease, unstable angina, Type 2 diabetes, biliary cirrhosis, and squamous cell carcinoma, among other ailments. His treatments have included coronary bypass surgery, androgen deprivation therapy, radiation, and nightly use of a CPAP machine for sleep apnea. These conditions have left him physically frail, emotionally vulnerable, and acutely aware of the limited time he has remaining.

Since his detention, Mr. Gallo has lost 20 pounds and struggles with the physical and emotional toll of his incarceration. He fully acknowledges that his suffering pales in comparison to the harm he has caused, and he carries that awareness with him every day. His remorse is unwavering, and he seeks not leniency but the opportunity to make amends, however limited those opportunities may be. Mr. Gallo has expressed a sincere desire to use his remaining years to rebuild trust with his family, contribute positively to support groups for inmates, and continue reflecting on the ways he can offer meaningful restitution. His age, extensive health issues, and profound sorrow underscore his diminished capacity for recidivism and his commitment to taking responsibility for his actions. Mr. Gallo does not shy away from the consequences of his behavior, but he hopes for a chance to demonstrate that his regret is real and his intention to make amends is genuine.

III. CONCLUSION

Mr. Gallo is genuinely remorseful for his actions and acknowledges the pain and suffering he has caused to the victims and community. Due to his advanced age, severely declining health and the extensive medical care required to manage his complex conditions, Mr. Gallo respectfully requests that this Court not incarcerate him.

WHEREFORE, the Defendant prays that the Court impose a just sentence consistent with Mr. Gallo's request.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'P. G. Lang', with a horizontal line underneath it.

PAUL G. LANG, ESQUIRE
Counsel for Defendant

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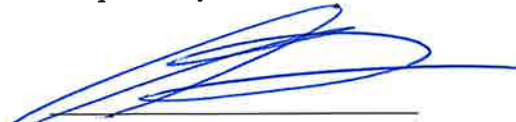
CERTIFICATE OF SERVICE

I, Paul Gregory Lang, Counsel for Defendant, hereby certify that I am this day serving the foregoing document upon the person and in the manner indicated below:

Michelle Rotella, Assistant United States Attorney
Project Safe Childhood Coordinator
Via Email: Mrotella@usa.doj.gov

Date: _____

Respectfully submitted,



PAUL G. LANG, ESQUIRE
Counsel for Defendant